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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/706,452	11/12/2003	Dominic Cloccarelli	50006076-2	8000

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER
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SEYE, ABDOU K

ART UNIT	PAPER NUMBER
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2194

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/706,452

Applicant(s)

CLOCCARELLI, DOMINIC

Examiner

Abdou Karim Seye

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/12/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 16-21 and 23-26 is/are rejected.
- 7) ☒ Claim(s) 5-15, 22 and 27-28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/12/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date 04/04/2005.

- 4) ☐ Interview Summary (PTO-913)
- Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

### **DETAILED ACTION**

1. This is the initial office action based on the application filed on November 12, 2003.

Claims 1-28 are currently pending and have been considered below.

### ***Claim Objections***

2. Claims 5-6, 8, 12, 13, 14, 22, 27 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-15, 22 and 27-28 have not been further treated on the merits.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper form.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefore, subject to the conditions and requirements of this title.

Claim 26 is non statutory. In view of Applicant's disclosure, specification, the means for receiving and creating that constitute the claimed client is constructed of software program instructions. Thus, the claimed client considered a software program containing machine-executable instructions, per se (and not associated with any

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physical structure). See MPEP 2106.01 - I: "...computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized...".

Appropriate change is required.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 16-17, 19-21 and 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Burton et al. (US20030115379).

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Claims 1, 19-21 and 23-24: Burton discloses a remote object invocation system and method for invoking a method of a remote object; comprising the steps of:

- a. Producing remote object data associated with the remote object (fig. 1/14a-c, paragraph 24 and 25);
- b. Interpretatively establishing a proxy object using the remote object data; the proxy object bearing an associated proxy method corresponding to the method of remote object (paragraph 25);
- c. Invoking, in response to an action of client software, the proxy object method (paragraph 25);
- d. Conveying invocation data associated with the invocation of the proxy method to the remote object (paragraph 25);
- e. Invoking, in response to the invocation data, the method of the remote object (paragraph 25); and
- f. Returning invocation result data to the client software via the proxy object (fig. 1, paragraph 4); .

Claims 2 and 25: Burton further discloses that producing the remote object data comprises the step of introspecting the remote object to produce introspection data and in which the remote object method data comprises the introspection data produced by said introspecting; reflection (paragraph 49).

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Claim 3: Burton further discloses a step of creating an object descriptor for the remote object (fig. 2, paragraph 27).

Claim 4: Burton further discloses that the step of creating the object descriptor for the remote object comprises the step of storing the object descriptor in a cache for later retrieval; the later retrieval being responsive to a request to create an instance of the remote object (fig. 2, paragraph 27 and 28).

Claim 16: see rejection as in claim 1 and 2 above.

Claim 17: see rejection as in claim 1 and 2 above.

### **Claim Rejections - 35 USC § 103**

6. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 18 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Burton et al. (US 20030115379) in view of Hayie et al (US 20060036448).

Claim 18: Burton discloses the step of invoking a remote object as in claim 17, but he does not explicitly disclose using XML and HTTP protocol for mapping remote objects to the user or client caller. However, in the same field of endeavor Haynie discloses an embodiment of a business logic written in java.TM. that includes the mapping of the remote data object to client caller controlled by HTTP and XML within an SOAP server (paragraph 106, 70 and 71). It would be obvious to one having ordinary skill in the art at the time the invention was made to modify Burton's invention with Hynie's invention in order to increase the response time of a client accessing remote data on a server. One would have been motivated to use XML and HTTP mapping protocol in order to gain performance on trading transactions within a distributed computer network system.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Glass (6993774) discloses a system and method for remote enabling classes without interfaces .

Guthrie et al. (6549955) discloses a system and method for dynamic generation of remote proxies.


Wollrath et al. (6487607) discloses methods and apparatus for remote method invocation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached Monday through Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, contact the examiner's supervisor, William Thomson at (571) 272-3718. The fax phone number for formal or official faxes to Technology Center 3600 is (571) 273-8300. Draft or informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

AKS  
December 20, 2006

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER  
William Thomson  
Supervisory Patent Examiner